

APR 20 2004

00-VE14.10  
09/144,635

OFFICIAL

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Bartholomew et al. Group Art Unit : 2661

Serial No.: 09/144,635 Examiner: Pizarro, R.

Filed: 08/31/1998 Paper No.:

For: Selective Bandwidth Connectivity Through Network Line Cards

Attorney Docket No.: 00-VE14.10

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:


☐ deposited with the United States Postal Service

☒ transmitted by facsimile to the Patent and Trademark Office to Examiner Pizarro, R. at 703-872-9306 (fax number)

first class mail, postage prepaid in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Express Mail, Post Office to Addressee, Mailing Label No. addressed to Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450

Date: April 20, 2004

Signature:   
Christian R. Andersen  
Name:

AFFADAVIT OF CHRISTIAN R. ANDERSEN

I, Christian R. Andersen, being sworn due hereby state that:

1. On September 24, 2003, I received a Notification of Abandonment relating to the above-referenced application. The reason cited for abandonment in the NOTIFICATION OF ABANDONMENT was that the Applicant failed to respond to the Office Action mailed February 27, 2003. A copy of the NOTIFICATION OF ABANDONMENT is attached hereto as *Exhibit A*.

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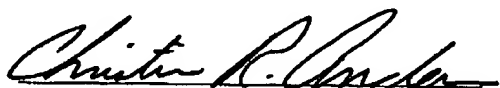
2. I never received the Office Action mailed February 27, 2003.
3. One of my responsibilities as Senior Paralegal at Verizon Services Group is to receive and docket all U.S. Patent Office correspondence that is addressed to  
**Leonard C. Suchyta**  
c/o Christian R. Andersen  
Verizon Services Group  
600 Hidden Ridge Drive  
Mail Code: HQE03H01  
Irving, TX 75038
4. On January 22, 2003 a Revocation of Prior Powers and Appointment of New Power of Attorney and Change of Addressee of Record (see *Exhibit B*) was filed with the U.S. Patent Office. This paper included a change of addressee of record requesting that all correspondence in this matter be directed to  
**Leonard C. Suchyta**  
c/o Christian R. Andersen  
Verizon Services Corp.  
600 Hidden Ridge Drive  
Mail Code: HQE03H01  
Irving, TX 75038.
5. *Exhibit C* is a copy of a stamped postcard dated January 28, 2003 evidencing that the U.S. Patent Office received the Associate Power of Attorney filed on January 22, 2003.
6. Attached hereto as *Exhibit D* is a copy of my docket, printed on September 29, 2003, for patent matter 09/144,635. My docket records are maintained by the Intellectual Property Department of Verizon Services Group and lie exclusively within its control to administer. As seen from the docket printout, if Verizon Services Group would have received the Office Action dated February 27, 2003, it would have appeared on the docket as "Action Due" 05/27/2003. There is no such entry on my docket.
7. On October 23, 2003, my outside counsel (Joseph V. Coppola, Sr., at Rader, Fishman & Grauer PLLC) requested from Examiner Pizarro, a copy of the Office Action

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dated February 27, 2003 (a copy of which is attached as *Exhibit E*).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information are believed to be true; and further that the statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, Under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application and or patents issued thereon.

April 20, 2004  
Date



Christian R. Andersen  
Senior Paralegal – Intellectual Property  
Verizon Corporate Services Group Inc.